

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

SCOTT JOSEPH FRANKLIN,

Defendant.

Case No. 2:19-CR-199-SAB-1**CRIMINAL MINUTES****DATE: OCTOBER 7, 2021****LOCATION: SPOKANE, WA****SENTENCING HEARING**

Chief Judge Stanley A. Bastian		
Michelle Fox Courtroom Deputy	01 Law Clerk	Allison Anderson Court Reporter
Todd Greenberg Government Counsel		Amy Rubin Defense Counsel
United States Probation Officer: Cassie Lerch		
Interpreter:		

☒ **Open Court**☐ **Chambers**☐ **Video/Telecon**

Defendant present and in custody of the U.S. Marshal.

Court addresses counsel. Defendant has pled to Counts 1 and 2. Court summarizes maximum penalties and guidelines. Court has reviewed all of the materials submitted.

A Rubin indicates there are no objections.

T. Greenberg indicates there are no objections.

T. Greenberg presents argument and outlines recommendations.

A. Rubin presents argument and outlines recommendations.

Defendant speaks to the Court.

Court speaks to the defendant.

Defendant responds.

Court outlines the 3553 factors.

[X] ORDER FORTHCOMING**CONVENED: 3:04 P.M.****ADJOURNED: 3:44 P.M.****TIME: 40 MIN.****CALENDARED [X]**

United States –vs- S. Franklin
2:19-CR-199-SAB-1
Sentencing Hearing

October 7, 2021
Page 2

Imprisonment: 55 months on both counts to run concurrently. Credit for time served.

Supervised Release: 3 years with the standard conditions and the following special conditions:

1. You must not communicate, or otherwise interact, with M.Y., either directly or through someone else, without first obtaining the permission of the probation officer. You must not enter the premises or loiter within 1000 feet of the victim's residence or place of employment.
2. You must take medications for the treatment of depression and anxiety as prescribed by the licensed mental health treatment provider.
3. You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.
4. You must submit your person, residence, office, or vehicle and belongings to a search, conducted by a probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You must warn persons with whom you share a residence that the premises may be subject to search.
5. You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.
6. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

SPA: \$100 for 2 counts = \$200

Fine: Waived

Recommend placement at FCI Terre Haute.

Court discusses supervised release.

Waiver of right to appeal discussed.